

REMARKS

Claims 1, 3-12 and 14-19 are pending in this application. By this Amendment, claim 1 is amended and claims 2 and 13 are canceled without prejudice to or disclaimer or the subject matter recited therein. Reconsideration based on the amendments and following remarks is respectfully requested.

I. April 28, 2009 Personal Interview

Applicant greatly appreciates the courtesies extended to Applicant's representative by Examiners Pilling and Evans during the April 28, 2009 personal interview. Applicant's separate record of the substance of the interview is incorporated herein below.

II. The Claims Define Allowable Subject Matter

The Office Action rejects claims 1-6, 8-16 and 18 under 35 U.S.C. §102(b) as being anticipated by Willis (U.S. Patent No. 6,134,317); claim 7 under 35 U.S.C. §103(a) as being unpatentable over Willis in view of Campbell (U.S. Patent No. 3,681,209); and claims 17 and 19 under 35 U.S.C. §103(a) as being unpatentable over Willis in view of Irie (U.S. Patent No. 5,314,606). The rejections are respectfully traversed.

The Office Action asserts that Willis teaches all of the currently claimed combination of features including a valve wherein "the pore diameter lies in a range from .1 to 5 microns, preferably from .2 to 1 μ m," as recited in claim 13 as previously presented. The Office Action cites col. 5, lines 44-51 wherein the specification recites a range of 0.1-10 μ m, and preferably 4-6 μ m. Because Willis discloses only a broad range vastly encompassing Applicant's claimed narrow range, and particularly the preferable range of .2-1 μ m, Applicant respectfully submits that Willis fails to disclose the claimed ranges of pore diameter with sufficient specificity to anticipate the subject matter for claim 13, and the claim from which it depends. As agreed during the personal interview, claim 1 is amended to include the .2 μ m - 1 μ m range recited in previously presented claim 13. Because the range disclosed by Willis is broadly

encompassing, Willis cannot be considered to anticipate because Willis does not disclose the claimed arrangement sufficient specificity.

Applicant respectfully submits that claim 1 as amended to recite the pore diameter range would not have been obvious in view of Willis, either alone or in combination with Campbell and/or Irie. Specifically, Applicant's specification as filed at page 13, lines 10-15 indicate the criticality of the recited pore diameter range and the feature of claim 2 wherein "the microporous membrane has approximately circular pores of approximately constant diameter." The specification states that "it is essential that all of the pores of the microporous membrane be of the same size so as to ensure that the polymerization advances at the same rate, whatever the pore." See page 13, lines 10-15. As agreed upon during the personal interview, such evidence constitutes support of criticality and further, such evidence weighs against a finding that the currently claimed combination of features would have been obvious in view of the applied references.

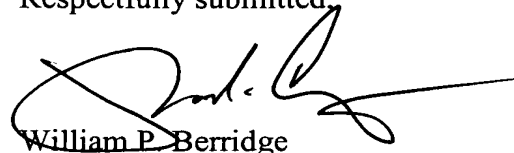
In view of the foregoing, Applicant respectfully submits that Willis, either alone or in combination with Campbell and/or Irie, fail to teach all of the currently claimed combination of features including "the pore diameter lies in the range from $.2\mu\text{m}$ - $1\mu\text{m}$," as recited in claim 1 as amended. Accordingly, withdrawal of the rejections of claims 1 and claims depending therefrom are respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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WPB:RAC/amt

Attachment:
Petition for Extension of Time

Date: May 26, 2009

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